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December 3, 2021

## VIA ECF

Honorable James L. Cott  
United States Magistrate Judge, S.D.N.Y.  
500 Pearl Street, Room 1360  
United States Court House  
New York, NY 10007

**Re: *Tom Hussey Photography, LLC v. BDG Media, Inc.***  
**C.A. No. 21-cv-03514-AT-JC**

Dear Judge Cott:

On behalf of Plaintiff Tom Hussey Photography, LLC, I write to request leave to file Exhibit B to its response to the Letter Motion filed by Defendant BDG Media, Inc. (ECF No. 75) under seal. That Exhibit is a printout of email communications exchanged between counsel for the parties. Those emails discuss negotiations regarding the protective order and an underlying dispute concerning the designation of documents as “Highly Confidential,” which communications are relevant to Plaintiff’s response to the pending Letter Motion. Those same email communications also discuss the negotiation of terms to be included in a written settlement agreement between the parties. Although that settlement agreement has not been finalized, its terms contemplate that the parties will be obligated to maintain the terms of the settlement agreement as confidential and only disclosed in certain specified circumstances. In order to avoid defeating the parties’ confidentiality expectations as to the terms negotiated in the email exchange marked as Exhibit B, Plaintiff requests leave to file that Exhibit under seal.

Sincerely,

*/s/ Steven M. Cowley*

cc: All Counsel of Record (via ECF)